

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

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STEPHON LINDSAY, #207044,

Plaintiff,

v.

RICHARD ALLEN, et al.,

Defendants.

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CIVIL ACTION NO. 2:07-CV-399-MHT  
[WO]

ROSA P. HACKETT  
U.S. DISTRICT COURT  
MIDDLE DISTRICT ALA

MOTION FOR EXTENTION OF TIME  
FOR FILING INITIAL FILING FEE

Comes now the Plaintiff, pro se, and moves this Honorable Court to allow an extension of time for the Alabama Department of Corrections to submit the initial filing fee in the above cause. Plaintiff submits the following for this Court's consideration towards granting this Motion:

1.) That this Court ordered the initial filing fee of two dollars and twenty-four cents (\$2.24) be forwarded to the Clerk of the Court on or before May 29, 2007. Said Order was dated May 9th, 2007.

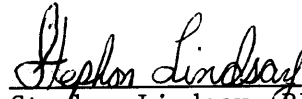
2.) That on May 25th, 2007 Plaintiff signed a "Notice of Intent to Withhold Funds From PMOD Account" with the Business Office of Ventress Correctional Facility, Clayton, AL. Ms. Glenda Ross, Ventress Correctional Facility Business Office Account Clerk was present when said intent to withhold was signed.

3.) That to this Plaintiff's knowledge, said initial filing fee has not been deducted from his PMOD account, and that it is no fault of the Plaintiff that said withdrawal has not occurred. The Ventress Correctional Facility Business Office was notified by this Court and also by the Plaintiff, and in fact, received a copy of the Court's Order dated May 9th, 2007, which advised

them of the May 29th, 2007 date for submitting the initial filing fee. Further, that filing fee has not been deducted as of the date of this Motion (June 6th, 2007).

**WHEREFORE**, the foregoing considered, due to the Ventress Correctional Facility Business Office (over which Plaintiff has no control) failing to submit said initial filing fee in a timely manner, Plaintiff's valid \$1983 Complaint is in jeopardy of being dismissed. As such, Plaintiff requests this Honorable Court extend the time period for submitting the initial filing fee, issue further orders to the Ventress Correctional Facility Business Office to submit said filing fee forthwith, and stay any dismissal of this valid \$1983 Complaint.

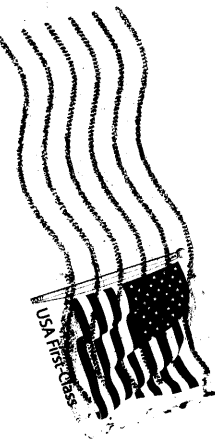
Respectfully submitted on this 6th day of June, 2007.

A handwritten signature in black ink, appearing to read "Stephon Lindsay", is written over a horizontal line.

Stephon Lindsay, Plaintiff, pro se  
AIS #207044, Dorm E4  
Ventress Correctional Facility  
P.O. Box 767  
Clayton, AL 36016-0767

NAME Stephon Lindsay AIS # 207044 DORM # E4  
VENTRESS CORRECTIONAL FACILITY  
P. O. BOX 767  
Clayton, AL 36016

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an Alabama State Prison. The contents have  
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of Corrections is not responsible for the substance  
or content of the enclosed communication."

36101-0711

United States District Court  
Office of the Clerk  
P.O. Box 711  
Montgomery, AL 36101-0711

